GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition and Excise Department – Departmental proceedings initiated against Sri K. Balarama Krishna, Retired Proh. And Excise Superintendent, Visakhapatnam in two Liquor syndicate cases of Srikakulam District on the allegation of criminal misconduct and criminal conspiracy– Orders dated 10.03.2020 in Writ Petition No. 6355 of 2020 and Orders dated 24.08.2020 in W.P.No.14430 of 2020 passed by the Hon'ble High Court- Orders dt. 01.04.2021 passed by the High Court in Writ Petition No. 6165 of 2021- Implemented- Orders – Issued.

REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.RT.No.719 **Dated:08-09-2022**

Read the following:-

1. From the Director General, Anti Corruption Bureau, A.P., Lr.No.Rc.No.11 /RCO-VSK/2012, dt.12.10.2012.
2. From the Director General, Anti Corruption Bureau, A.P., Lr.No.Rc.No.74 /RCO-VSK/2012, dt.12.11.2012.
3. Govt.Memo.No.46423/Vig.V(2)/2012-1, dt.16.01.2013 of the Rev(Vig.V)Dept.
4. Govt.Memo.No.51873/Vig.V(2)/2012-1, dt.15.01.2013 of the Rev(Vig.V) Dept.
5. Tribunal Enquiry Case No.205 of 2013, dt.07.02.2018.
6. G.O.Rt.No.833, Revenue(Vigilance.V)Dept., Dt.05.06.2013 of the Rev(Vig.V)Dept.
7. Orders dated 24.08.2020 passed by the High Court in Writ Petition No. 14430 of 2020.
8. Orders dated 10.03.2020 passed by the High Court in Writ Petition No. 6355 of 2020.
9. G.O.Rt No.245, Revenue (Vig.IV) Dept., dt:06-05-2021 of the Rev(Vig.V)Dept.
10. Interim orders dated 01.04.2021 passed by the High Court in Writ Petition No. 6165 of 2021.
11. G.O.Rt No.832, Revenue (Vig.IV) Dept., dt:31-12-2021 of the Rev(Vig.V)Dept.
12. From Sri K. Balarama Krishna, Retired Proh. and Excise Superintendent, Visakhapatnam, Representation, dt.02.12.2021.

****

ORDER:

Whereas it was brought to the notice of the Government that, Sri K. Balarama Krishna, Retired Prohibition and Excise Superintendent, Visakhapatnam, while in service, was involved in two disciplinary cases pertaining to two liquor syndicate cases of Srikakulam District along with the other Prohibition and Excise officials. After conducting detailed inquiries, the Director General, Anti Corruption Bureau, submitted his reports to the Government in the references 1st & 2nd read above.

2. And whereas after careful examination of the reports of the Director General, Anti Corruption Bureau, Government have taken a decision to entrust one case against him to the Tribunal for Disciplinary Proceedings in the references 3rd read above and other case against him to the Commissioner of Inquiries in the reference 4th read above for inquiries. Accordingly, Charge memos were issued in the reference 5th & 6th read above against him.

3. In the G.O. reference 9th read above, sanction was accorded for payment of provisional pension @75% (seventy five percent only) of normal pension entitled under Rule 52 of Andhra Pradesh Revised Pension Rules, 1980, as he was retired on 31.07.2020, pending finalization of disciplinary proceedings initiated against him. However, the payment of entire Death-cum-Retirement Gratuity and other pensionary benefits admissible to the above Retired Officer shall be kept in abeyance till the final orders issued in disciplinary proceedings pending against him.

Contd.,2

4. Aggrieved, Sri K. Balarama Krishna has fled W.P.No. 6355 of 2020 and W.P.No.14430 of 2020 before the Hon'ble High Court of Andhra Pradesh. The Hon'ble High Court has passed the orders dated 10.03.2020 in Writ Petition No. 6355 of 2020 with " a direction to conclude the enquiry, within a period of three months from the date of receipt of a copy of this order, failing which the disciplinary proceedings initiated against the petitioner vide G.O.Rt.No.833, Revenue (Vig.V) Department, dated 05.6.2013, shall stand quashed . The High Court in its order dated 24.08.2020 in W.P.No.14430 of 2020 with a direction "to conclude the enquiry within a period of three(3) months from the date of receipt of copy of this order".

5. Sri K. Balarama Krishna has again filed another W.P.No.6165 of 2021 before the Hon'ble High Court to release all the retirement benefits consequent to the above orders and the Hon'ble High Court in its Interim orders dated 01.04.2021 issued directions to release 75% of provisional pension, 80% of gratuity. entire amount due towards provident fund and other amounts, which are due to the petitioner as per G.O.Rt.No.1097, Fin. Plg. (PW.Pen.I) Department dated 22.06.2000, as expeditiously as possible, preferably, within a period of four (4) months from the date of receipt of a copy of this order.

6. In the G.O. reference 11th read above, sanction was accorded, in compliance with interim orders dated 01.04.2021 passed by the High Court in Writ Petition No. 6165 of 2021, for payment of 80% of gratuity, entire amount due towards provident fund and other amounts to him, as he was retired on 31.07.2020, pending finalization of disciplinary proceedings initiated against him.

7. In his representation submitted to the Government in reference 12th read above, Sri K. Balarama Krishna has stated that he was suffering from Blood cancer (Multiple Myeloma) and incurring huge expenditure for its treatment which is putting financial hardship on his family. He has therefore requested to release all pensioner benefits i.e. Full pension, E.L., GIS, Gratuity and commutation on humanitarian grounds.

8. Government after careful examination of the matter and in compliance with the above orders of the Hon'ble High Court, hereby accord sanction to release all the pensionary benefits that are due to Sri K. Balarama Krishna, Retired Prohibition and Excise Superintendent, Visakhapatnam.

9. The Commissioner of Prohibition and Excise shall take necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (EXCISE & R&S)

To
Sri K. Balarama Krishna, Retired Prohibition and Excise Superintendent, Visakhapatnam through the Commissioner, Prohibition and Excise Department, Andhra Pradesh, Vijayawada.
The Commissioner, Prohibition and Excise Department, Andhra Pradesh, Vijayawada.
Copy to:
The Accountant General (A&E), Andhra Pradesh, Hyderabad.
The Director of Treasuries and Accounts, A.P., Vijayawada.
The Government Pleader for Services-I, Andhra Pradesh High Court, Amaravati w.r.t. W.P.No. 6355 of 2020 and W.P.No.14430 of 2020 and W.P.No.6155 of 2021.
The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, A.P. Secretariat, Velagapudi.
Sc/Sf.

//FORWARDED:: BY ORDER//

R. Vijay Kishore
SECTION OFFICER